IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER,
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 21768 of 2003

Between:

G.A.Rao E.825524, Driver, S/o G.Veera Raju, aged

About 35 years, R/o.Manuguru, Khammam

District

..... PETITIONER

AND

1 The APSRTC, rep. by the Managing Director
Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC
Khammam Region , Khammam District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the Nature of writ of Mandamus declaring the action of the respondents disengaging the petitioner from his services/duties in his oral proceedings dt.21/7/2003 as illegal, arbitrary, contrary to the law and against the principles of Natural Justice and liable to be set aside, consequently direct the respondents to regularize the services of the petitioner from the date of his initial appointment and to release.

Counsel for the Petitioner: MR.S.A.K.MYNUDDIN

Counsel for the Respondents: SMT.P.RAJANI REDDY

The Court made the following :

ORAL ORDER:

It is stated that the petitioner was appointed as Driver on daily wage basis in the year 1997 and since then, he has been working as such. Presently, the petitioner is posted at A.P.S.R.T.C., Munguru Depot. It is not in dispute that the services of the petitioner have not been regularized. The only grievance of the petitioner is that he may not be discontinued as daily wage Driver by engaging the services of any of his juniors.

The learned counsel appearing for the respondents has submitted that the petitioner's services were disengaged only due to curtailment of the schedules as and when there is slack season, but his services were never terminated. It is further stated that as and when vacancies arise, the services of the petitioner will be utilized; and his services will be regularized after the petitioner completing working for 240 days continuously subject to the sanction and availability of the regular vacancies.

Having regard to the facts and circumstances of the case, the respondents are directed to regularize the services of the petitioner keeping in view the seniority of the petitioner in the post of Casual Driver.

The writ petition is accordingly disposed of. No order as to costs.

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(V. ESWARAIAH, J.)

5th October, 2004.

Bcj

To

1 The Managing Director, A.P.S.R.T.C.,
Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC
Khammam Region , Khammam District.

3. Two C.D. copies.